

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MERCHANT & GOULD, PC,
Plaintiff,

Civil No. 09-3144 (JRT/JSM)

v.

PREMIERE GLOBAL SERVICES, INC.
and XPEDITE SYSTEMS, LLC,

Defendant.

ORDER OF DISMISSAL

Anthony R. Zeuli, Gregory C. Golla, and John A. Clifford, **MERCHANT & GOULD PC**, 80 South Eighth Street, Suite 3200, Minneapolis, MN 55402, for plaintiff.

David T. Schultz and JoLynn M. Markison, **MASLON EDELMAN BORMAN & BRAND, LLP**, 90 South Seventh Street, Suite 3300, Minneapolis, MN 55402, for defendant.

The Court having been advised that the above action has settled, **IT IS HEREBY ORDERED** that this action is **DISMISSED WITH PREJUDICE**, the Court retaining jurisdiction for forty-five days to permit any party to move or reopen the action, for good cause shown, or to submit and file a stipulated form of final judgment, or to seek enforcement of the settlement terms.

DATED: February 2, 2011
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge